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PATENT
18781-006020

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Assistant Commissioner for Patents
Washington, D.C. 20231

On 1-21-03

By: Linda Shaffer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hui Tian, *et al.*

Application No.: 09/837,992

Filed: April 18, 2001

For: SITOSTEROLEMIA
SUSCEPTIBILITY GENE (SSG):
COMPOSITIONS AND METHODS OF
USE

Examiner: Christian L. Fronda

Art Unit: 1652

**RESPONSE TO RESTRICTION
REQUIREMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement, Applicants elect, with traverse, to prosecute the claims of Group I, claims 1-18, 31 and 32, drawn to an isolated nucleic acid molecule encoding an SSG polypeptide, an expression cassette, a cell comprising said expression cassette, and method of making a SSG polypeptide.

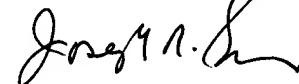
Applicants' election is made with traverse as examination of the subject matter recited in the claims of Groups I-IX would not place a substantially greater burden on the Examiner.

Further, in response to the Species Election, Applicants elect the following species for purposes of examination: an isolated nucleic acid encoding an SSG polypeptide, said SSG polypeptide comprising an amino acid sequence that is at least about 70% identical to an amino acid sequence as set forth in SEQ ID NO:3. As stated in MPEP § 809.02(a), “[u]pon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or

otherwise include all the limitations of an allowed generic claim as provided by 37 CFR § 1.141."

If the Examiner has any questions regarding Applicants' elections, or if the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (925) 472-5000.

Respectfully submitted,



Joseph R. Snyder
Reg. No. 39,381

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